

ADDENDUM TO THE FACT SHEET
FOR NATIONAL POLLUTANT DISCHARGE
ELIMINATION SYSTEM (NPDES)
PERMIT NO. WA0023817

I. GENERAL INFORMATION

Facility: City of Ocean Shores
P.O. Box 909
Ocean Shores, WA 98569

II. APPLICATION REVIEW

An application for permit reissuance was submitted to the Department of Ecology (Department) on July 17, 2003, and September 12, 2003, and accepted by the Department on October 9, 2003. The scope and manner of any review of an application for replacement of permit by the Department shall be sufficiently detailed as to insure the following:

- That the permittee is in substantial compliance with all of the terms, conditions, requirements and schedules of compliance of the expired permit;
- That the Department has up-to date information on the permittee's production levels; permittee's waste treatment practices; nature, content, and frequencies of permittee's discharge; either pursuant to the submission of new forms and applications or pursuant to monitoring records and reports resubmitted to the Department by the permittee; and
- That the discharge is consistent with applicable effluent standards and limitations, water quality standards, and other legally applicable requirements listed in WAC 173-216 and WAC 173-200.

The application for City of Ocean Shores was reviewed and indicates that no changes in the treatment characteristics of the effluent process or volume of wastewater has occurred.

III. PERMIT REAUTHORIZATION

This fact sheet addendum accompanies the draft permit, which is to be reauthorized to City of Ocean Shores for the discharge of wastewater to Grays Harbor Estuary. The previous fact sheet is also part of this administrative record and explains the basis for the discharge limitations and conditions of the reauthorized permit.

The existing permit requirements, including discharge limitations and monitoring, do not need to be changed to protect the receiving water quality. The previous fact sheet addressed conditions and issues at the facility at the time when the previous permit was issued, and statements made reflected the status in 1998. Since the issuance of the current permit, the Department has not received any information which indicates that environmental impacts from the discharge that were not evaluated at the time of the last permit issuance is persuasive enough to undertake a complete renewal of the permit. The reauthorized permit is virtually identical to the previous permit issued on January 13, 1999.

The discharge limits and conditions in effect at the time of expiration of the previous permit are carried over unchanged to this reauthorized permit. Assessment of compliance and inspections of the facility during the previous permit term indicate that the facility should not be placed on a high priority for permit renewal. The Department assigns a high priority for permit renewals in situations where water quality would materially benefit from a more stringent permit during the next five-year cycle.

The permit reauthorization process, in concert with the routine renewal of high priority permits, allows the Department to reissue permits in a timely manner and minimize the number of active permits that have passed expiration dates. A system of ranking the relative significance of the environmental benefit to be gained by renewing a permit rather than reauthorizing a permit is followed during the Department's annual permit planning process. Each permit that is due for reissuance is assessed and compared with other permits that are also due for reissuance. The public is notified and input is sought after the initial draft ranking has tentatively established which permits are likely to be completely renewed and which are likely to be reauthorized. All relevant comments and suggestions are considered before a final decision is made regarding the type of reissuance for each permit.

The only changes to the previous permit are the submittal date requirements. Submittal requirements from the previous permit that were completed and submitted and do not require additional or continued assessment were removed from this permit. The submittal dates for the other standard compliance and submittal requirements that have been carried over from the past permit into this reauthorized permit have been adjusted to the proposed permit schedule. The Department considered these submittals necessary in the previous permit and no information has come forward to cause a reconsideration of the submittal requirement.

Public notice of the availability of the draft reauthorized permit is required at least 30 days before the permit is issued [Washington Administrative Code (WAC) 173-220-050]. The fact sheet and draft permit are available for review (see Appendix A—Public Involvement for more detail on the Public Notice procedures).

After the public comment period has closed, the Department will summarize the substantive comments and the response to each comment. The summary and response to comments will become part of the file for the permit and parties submitting comments will receive a copy of the Department's response. Comments and the resultant changes to the permit will be summarized in the fact sheet addendum, Appendix D—Response to Comments.

IV. RECOMMENDATION FOR PERMIT ISSUANCE

The Department proposes that this permit be issued for five years.

APPENDIX A – PUBLIC INVOLVEMENT INFORMATION

The Department has determined to reauthorize a discharge permit to the applicant listed on page 1 of this fact sheet addendum. The permit contains conditions and effluent limitations that are described in the fact sheet.

Public notice of application was published on July 13, 2003, and July 20, 2003, in *the Aberdeen Daily World* to inform the public that an application had been submitted and to invite comment on the reauthorization of this permit.

The Department will publish a Public Notice of Draft (PNOD) on December 15, 2003, in *the Aberdeen Daily World* to inform the public that a draft permit and fact sheet are available for review. Interested persons are invited to submit written comments regarding the draft permit. The draft permit, fact sheet addendum, and fact sheet are available for inspection and copying between the hours of 8:00 a.m. and 5:00 p.m. weekdays, by appointment, at the regional office listed below. Written comments should be mailed to:

Water Quality Permit Coordinator
Department of Ecology
Southwest Regional Office
P.O. Box 47775
Olympia, WA 98504-7775

Any interested party may comment on the draft permit or request a public hearing on this draft permit within the 30-day comment period to the address above. The request for a hearing shall indicate the interest of the party and the reasons why the hearing is warranted. The Department will hold a hearing if it determines there is a significant public interest in the draft permit (WAC 173-220-090). Public notice regarding any hearing will be circulated at least 30 days in advance of the hearing. People expressing an interest in this permit will be mailed an individual notice of hearing (WAC 173-220-100).

Comments should reference specific test followed by proposed modification or concern when possible. Comments may address technical issues, accuracy and completeness of information, the scope of the facility's proposed coverage, adequacy of environmental protection, permit conditions, or any other concern that would result from reauthorization of this permit.

The Department will consider all comments received within 30 days from the date of the PNOD indicated above, in formulating a final determination to issue, revise, or deny the permit. The Department's response to all significant comments is available upon request and will be mailed directly to people expressing an interest in this permit.

Further information may be obtained from the Department by telephone at (360) 407-6279, or by writing to the address listed above.

RESPONSE TO COMMENTS

The following comments were received from the Washington State Department of Natural Resources.

Comment A:

“SUMMARY OF COMPLIANCE WITH THE PREVIOUS PERMIT. The facility received it’s last inspection on October 24, 1996. This was an announced compliance inspection without sampling. During the history of the previous permit, the Permittee has not remained in compliance, based on Discharge Monitoring Reports (DMRs) submitted to the Department and inspections conducted by the Department. Prior to 1990, the effluent limits for BOD5 was consistently not being met because of a nitrification problem in the lagoons. After an intensive study of the problem, the Department agreed to allow the City to monitor for carbonaceous BOD5 instead of BOD5 in accordance with WAC 173-221-050(6)(a). However, due to a delay in renew of the existing permit and personnel changes a permit modification in 1990 was delayed. Therefore, this permit will include that change and set interim effluent limitations based on operational controls of the facility and WAC 173-221-050(2)(a).”

Response A:

Construction of the new treatment plant was completed in 2000. Operating data for the new plant indicate that the monitoring contained in the new permit is adequate.

Comment A.1:

Will inspections be more frequent (last one was over seven years ago) during the next five-year period?

Response A.1:

The Ocean Shores Wastewater Treatment Plant was inspected by the Department staff on May 9, 2002. Due to limited resources, the Department tries to target facilities that are in the greatest need of inspection and assistance. Since construction of the new plant, the compliance record has been good. The Department will continue to chose to target facilities for inspections that are having the most trouble complying with their permits.

Comment A.2:

Considering this facility has had effluent limit violations, and problems with a properly discharged effluent, an increased inspection frequency would warrant review.

Response A.2:

Since the facility has been upgraded to activated sludge we have had very few, if any, permit violations. The plant is well operated and performs well. See previous response.

Comment B:

“DISCHARGE OUTFALL. Secondary treated and disinfected effluent is discharged from the storage lagoon via 36-inch diameter outfall into the entrance to Grays Harbor estuary. The outfall

discharges at a depth of about 20 feet below lower low water and 200 feet offshore from the rock jetty. However, wave action has damaged the outfall and it discharges through an open joint where the pipe emerges from the jetty. The discharge point is about five feet below mean lower low water and is visible at extreme low tides. An engineering report amendment for the outfall study and design was approved on January 23, 1998. The recommended outfall is an 18-inch diameter pipe that discharges near the shoreline in enough water to cover the outfall end. The 18-inch pipe is installed through the existing 36-inch outfall pipe with an open end and without a diffuser. The effluent from the storage lagoon will be discharged on the outgoing tide. The outfall area is in an area not generally or readily accessible to the public.”

Response B:

The 18 inch outfall was only one of the alternatives considered in the engineering report amendment. Modeling of the existing discharge by URS indicated that changes were not necessary from a water quality perspective. The life expectancy for the existing outfall was estimated at 25 years. The outfall has been discharging in this location since 1980. The existing outfall has been inspected and reported on by the City in 2000. The outfall reportedly has not changed radically. The City will do a survey to determine whether the existing outfall is on State DNR land at extreme low tide (inter-tidal zone).

Comment B.1:

The original easement agreement for this outfall was terminated when DNR learned the outfall pipe had been damaged and State Owned Aquatic Land was no longer encumbered. If the line is extended past the Extreme Low Tide mark, as recommended by the consultant, a new outfall easement will be required. Is a diffuser required or does the outgoing tide effectively disperse the effluent?

Response B.1:

The City may want the easement in the future if they expand their wastewater system.

The URS report determined that the current discharge meets water quality standards at its present location.

Comment B.2:

Where, very specifically, will the new outfall be located? Will it be on state-owned aquatic lands?

Response:

There is no new outfall proposal

Comment B.3:

Considering that the effluent has been discharging from an open joint near the jetty, and the facility has had effluent violations/nitrification problems in the past, there are additional concerns to be addressed:

Comment B.3.1:

How long has this open joint violation been occurring?

Response B.3.1:

The Department knew about the existing outfall condition since 1980 according to City staff.

Comment B.3.2:

Permit Condition S8 requires the Permittee to conduct an outfall evaluation and submit a report to determine if sediment has accumulated in the vicinity of the outfall.

Response B.3.2:

Based on the discharge characteristics, the outfall location does not meet the Department's threshold for concern about sediment quality. The discharge is freshwater to saltwater, has secondary treatment, and the current velocities are greater than 1 cm/sec. The velocities are very aggressive at the discharge location. A discharge with these characteristics is unlikely to impact surrounding sediments.

Comment B.3.2.1:

When will this report be available and will it be in accordance with Sediment Management Standards (SMS)?

Response B.3.2.1:

S8 includes a requirement for outfall inspection and report by March 30, 2008. The purpose of the inspection is to ensure that there are no significant changes in the outfalls function or condition.

Comment B.3.2.2:

Will the area near the open joint also be inspected in compliance with SMS?

Response B.3.2.2:

No sediment sampling is required due to the low potential for sediment impacts.

Comment B.3.3:

WA DNR would like close out sediment samples to be taken at the original outfall location and where the open joint was/is on the discharge pipe to determine compliance with SMS.

Response B.3.3:

The Department has determined that the outfall discharge characteristics do not have a reasonable potential to violate water quality standards. Therefore, no sampling will be required.

Comment B.3.4:

The Department of Ecology has determined that the discharger/effluent characteristics do not have a reasonable potential to violate SMS. However, considering the past BOD5 violations, nitrification problems, and the open joint in the discharge pipe, WA DNR would like baseline sediment monitoring and continued monitoring in compliance with SMS for the new discharge located to be performed.

Response B.3.4:

The old violations were from the old plant. What sediments were there previous have vacated the area due to the erosive nature of the surf and sea storms.

There is no new discharge location identified.

The following comments were received from the Washington State Department of Health.

Comment 1:

The DOH Shellfish Program's notification phone number in S3.F is given as 360-753-5992. We would like Ecology to change the NPDES boilerplate to our current main office phone number: 360-236-3330.

Response 1:

The permit will be changed to reflect the new phone number.

Comment 2:

I understand that your office intends to reauthorize this NPDES permit based on the findings that no changes in treatment characteristics or in volume of wastewater has occurred since the last permit was issued (1999). However the Fact Sheet is antiquated as it describes the proposed new WWTP as it was planned prior to its completion, and so should be updated. And in general it would be helpful to the reader to have a date on the cover of the fact sheet.

Response 2:

Since the permit is being reauthorized, a new fact sheet was not written. A fact sheet addendum is in conjunction with the original fact sheet. When the permit is rewritten, the fact sheet will be updated.

It is our new practice to add the date of the fact sheet to the cover, but it is for all newly rewritten fact sheets.

Comment 3:

At the bottom of page 4 of the fact sheet it states "An option for scheduled lamp cleaning can be based on fecal counts (i.e., when counts approach 100/100 mL, the lamps are cleaned)." The DOH Shellfish Program recommends that UV lamps be cleaned prior to the effluent reaching a

level of 100 fecal coliforms per 100 mL in the effluent. Fecal coliform levels higher than 100 FC/100 mL are undoubtedly discharged to the receiving water during the period of time that a single grab sample indicates this level. In addition there are other human pathogens that are being discharged to the receiving water such as enteric viruses that can be much more resistant to disinfection than the indicator fecal coliform bacteria. It is extremely important that WWTP operators minimize or eliminate the discharge of indicator bacteria. This practice will result in lower levels of other viable human pathogens (that are not being monitored) to the receiving waters.

Response 3:

Comment noted, the Department's Operator Outreach Specialist works with facilities to ensure proper operating practices.